

07-10-03

1617

DOCKET NO.: BMS-2027

PATENT

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Shuang Liu, et al.

Application No.: 09/899,629

Filing Date: July 5, 2001

For: STABLE RADIOPHARMACEUTICAL COMPOSITIONS AND METHODS  
FOR PREPARATION THEREOF

Confirmation No.: 5136

Group Art Unit: 1617

Examiner: S. Sharareh

EXPRESS MAIL LABEL NO: EV 251285846 US  
DATE OF DEPOSIT: July 9, 2003

EV251285846US

Mail Stop ☒ NON-FEE  
☐ AF

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

REPLY TRANSMITTAL LETTER

Transmitted herewith for filing in the above-identified patent application is:

- ☐ A Preliminary Amendment.
- ☐ An Amendment Responsive to the Office Action Dated
- ☐ An Amendment Supplemental to the Paper filed
- ☒ Other: Notice of Non-Responsive Reply dated June 10, 2003.
- ☐ Applicant(s) has previously claimed small entity status under 37 CFR § 1.27.
- ☐ Applicant(s) by its/their undersigned attorney, claims small entity status under 37 CFR § 1.27 as:
  - ☐ an Independent Inventor
  - ☐ a Small Business Concern

**DOCKET NO.:**

**- 2 -**

**PATENT**

- ☐ a Nonprofit Organization
- ☐ This application is no longer entitled to small entity status. It is requested that this be noted in the files of the U.S. Patent and Trademark Office.
- ☐ Loss of Entitlement Enclosed
- ☐ Substitute Pages of the Specification are enclosed.
- ☐ An Abstract is enclosed.
- ☐ Sheets of Proposed Corrected Drawings are enclosed.
- ☐ A Certified Copy of each of the following applications: is enclosed.
- ☐ An Associate Power of Attorney is enclosed.
- ☐ Information Disclosure Statement.
  - ☐ Attached Form 1449.
  - ☐ A copy of each reference as listed on the attached Form PTO-1449 is enclosed herewith.
- ☐ Appended Material as follows:
- ☐ Other Material as follows:

DOCKET NO.:

- 3 -

PATENT

## FEE CALCULATION

☐ No Additional Fee is Due.

				SMALL ENTITY		NOT SMALL ENTITY	
	REMAINING AFTER AMENDMENT	HIGHEST PAID FOR	EXTRA	RATE	FEE	RATE	FEE
TOTAL CLAIMS	93	93 (20 MINIMUM)		\$9 EACH	\$	\$18 EACH	\$0
INDEP. CLAIMS	4	4 (3 MINIMUM)		\$42 EACH	\$	\$84 EACH	\$0
FIRST PRESENTATION OF MULTIPLE DEPENDENT				\$140	\$	\$280	\$0
<input type="checkbox"/> ONE MONTH EXTENSION OF TIME				\$55	\$	\$110	\$0
<input type="checkbox"/> TWO MONTH EXTENSION OF TIME				\$205	\$	\$410	\$0
<input type="checkbox"/> THREE MONTH EXTENSION OF TIME				\$465	\$	\$930	\$0
<input type="checkbox"/> FOUR MONTH EXTENSION OF TIME				\$725	\$	\$1450	\$0
<input type="checkbox"/> FIVE MONTH EXTENSION OF TIME				\$985	\$	\$1970	\$0
<input type="checkbox"/> LESS ANY EXTENSION FEE ALREADY PAID				minus	(\$ )	minus	(\$0)
<input type="checkbox"/> TERMINAL DISCLAIMER				\$55	\$	\$110	\$0
<input type="checkbox"/> OTHER FEE OR SURCHARGE AS FOLLOWS:							
TOTAL FEE DUE					\$		\$0

- ☐ A check in the amount of \$       .00       is attached. Please charge any deficiency or credit any overpayment to Deposit Account 23-3050.
- ☐ Petition is hereby made under 37 CFR § 1.136(a) (fees: 37 CFR § 1.17(a)(1)-(4) to extend the time for response to the Office Action of                      to and through comprising an extension of the shortened statutory period of                      month(s).
- ☒ The Commissioner is hereby requested to grant an extension of time for the appropriate length of time, should one be necessary, in connection with this filing or any future filing submitted to the U.S. Patent and Trademark Office in the above-identified application during the pendency of this application. The Commissioner is further authorized to charge any fees related to any such extension of time to Deposit Account 23-3050. This sheet is provided in duplicate.
- ☒ The Commissioner is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 23-3050. This sheet is provided in duplicate.
- ☐ The foregoing amount due for filing this paper.
- ☒ Any additional filing fees required, including fees for the presentation of extra claims under 37 CFR § 1.16.

**DOCKET NO.:**

- 4 -

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☒ Any additional patent application processing fees under 37 CFR § 1.17 or 1.20(d).

**SHOULD ANY DEFICIENCIES APPEAR** with respect to this application, including deficiencies in payment of fees, missing parts of the application or otherwise, the U.S. Patent and Trademark Office is respectfully requested to promptly notify the undersigned.

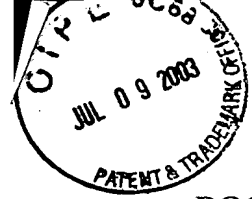
Date: July 9, 2003



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REPLY PURSUANT TO 37 CFR § 1.111

This is in response to the Notice of Non-Responsive Reply dated June 10, 2003,  
issued in connection with the above-identified application. Reconsideration is respectfully  
requested in view of the amendments and/or remarks as indicated below:

- ☐ Amendments to the Specification begin on page                      of this paper.
- ☐ Amendments to the Claims are reflected in the listing of the claims which  
begins on page                      of this paper.
- ☐ Amendments to the Drawings begin on page                      of this paper and include  
an attached replacement sheet.
- ☒ Remarks/Arguments begin on page 2 of this paper.